

REMARKS:

Claims 1-41 are pending the present application and have been restricted.

Claims 2-5 have been canceled, claims 1, 7-19 have been amended, and claims 6, 28 and 30-41 have been withdrawn from consideration, leaving Claims 1, 7-27 and 29 for consideration upon entry of the present Amendment.

Restriction/Election

Applicants herein provisionally elect, with traverse, Species A:

A: tetrahydrophenanthrene derivatives or phenanthrene derivatives selected from cryptotanshinone, tanshinone IIA, tashinone I, 15,16-dihydrotanshinone I or a specific mixture thereof

Applicants submit that elected Species A encompasses claims 1, 7-27 and 29. This election is being made without prejudice to Applicants' rights with respect to the other groups, including the right to file divisional applications thereon.

Applicants note that claim 1 is directed to a composition for preventing or treating obesity and metabolic syndrome diseases. In general, composition-related patent application claims may further contain another component(s), which can be defined in the form of an independent claim. Applicants respectfully submit that claim 6 is such an independent claim.

In this regard, Applicants note that the Examiner has classified claim 6 into Species B (additional component or specific mixture thereof selected from those listed in claim 6) which does not relate to a single inventive concept together with Species A. However, Applicants assert that such a classification is deemed improper with respect to a composition claim, for the ground set out above.

Prosecution on the merits is respectfully requested. Consideration and allowance of Claims 1, 7-27 and 29 are also requested. The foregoing is believed to be fully responsive to this office action.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By /Ian J. S. Lodovice/
Ian J. S. Lodovice
Registration No. 59,749

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CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No.: 23413